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10/784,727	02/23/2004	Enrique Travieso	074869-0012	9503
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MCDERMOTT WILL & EMERY LLP			EXAMINER	
600 13TH STREET, N.W.			AL HASHEMI, SANA A	
WASHINGTON, DC 20005-3096			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,727

Applicant(s)

TRAVIESO ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-72 and 74 is/are pending in the application.
- 4a) Of the above claim(s) 73 and 75-79 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36-72, and 74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is issued in response to applicant election of Group I claims 36-72, and 74 filed 3/15/07.
2. Claims 1-35 were canceled. Claims 36-72, and 74 were elected. Claims 73, 75-79 were withdrawn from consideration.

Election/Restrictions

Claims 36-72, and 74 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 3/15/07.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 59 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter “the steps of dividing the content and generating an identifier are conditioned” which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention..

Claims 60-61 depend from claim 59 therefore they inherent the 112 deficiency.

No art will be applied to claims 59-61 until proper clarifications and support is provided.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 36- 51, 53-55, 57-8, 62-66, and 68-70, 72, and 74 are rejected under 35 U.S.C. 102(e) as being anticipated by Levin (US Patent Application No. 2004/0102956 with filing date Nov. 14, 2003, which claims provisional filing date Nov. 22, 2002).

Regarding Claims 36, 63, and 74, Levin discloses a machine implemented method for providing translated content, comprising the steps of:

receiving a request for translated content in a second language corresponding to content in a first language (Paragraph 35, is the native language, Levin);

dividing the content into one or more translatable components; generating an identifier for each of the translatable components (Paragraph 41, Levi);

identifying a translated component corresponding to a translatable component based on an identifier for the translatable component (Paragraph 42, 6-11, Levin);

generating the translated content based on one or more translated components, identified in the identifying step (Paragraph 42, lines 12-18, Levin); and

sending the translated content as a response to the request (Paragraph 51. Levin).

Regarding Claim 37, Levin discloses a method further comprising the step of arranging the one or more translated components in the translated content in the second language so that the format of the content in the first language is preserved (Paragraph 62, Levin).

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Regarding Claim 38, Levin discloses a method wherein the step of arranging includes inserting a link contained in the content in the first language in the translated content in the second language (Paragraph 46, is the target language, Levin).

Regarding Claim 39, Levin discloses a method wherein the step of arranging includes modifying a link associated with the content in the first language to obtain an updated link (Paragraph 45, Levin).

Regarding Claim 40, Levin discloses a method wherein the updated link points to an updated location associated with the translated content in the second language (Paragraph 46, lines 2-13, Levin).

Regarding Claims 41, and 42, Levin discloses a method wherein the updated link is derived by prefixing the link using a Universal Resource Locator (URL) associated with a processing facility that provides at least a part of the translated content (Paragraph 19, Levin).

Regarding Claims 43, and 64, Levin discloses a method wherein each of the translatable components is one of:

- a text segment (Paragraph 19, lines 12-22, Levin);

- an image file;

- an audio clip; a video clip;

- a file (Paragraph 19, lines 12-22, Levin); and

- any combination thereof in an electronic data stream (Paragraph 19, lines 12-22, Levin).

Regarding Claims 44, and 65, Levin disclose a method wherein the step of generating an identifier includes generating an identifier for a text segment based on at least one of a hash

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code, a checksum, and a mathematical algorithm based on one or more text segments (Paragraph 23, lines 7-10, Levin).

Regarding Claim 45, Levin discloses a method wherein the content in the first language is sent from a different information processing system than where the step of receiving is performed (Paragraph 22, Levin).

Regarding Claim 46, Levin discloses a method wherein the content in the first language is parsed based on at least one markup tag into the one or more translatable components (Paragraph 37, Levin).

Regarding Claim 47, Levin discloses a method wherein the content in the first language includes a file containing at least one of a JavaScript and VBScript (Paragraph 65, Levin).

Regarding Claims 48, 62, Levin discloses a method wherein a translatable component is derived based on a directive tag contained in the content in the first language (Fig. 4, 116, and 120. Levin).

Regarding Claim 49, Levin discloses a method wherein the at least one directive tag is specified via a markup comment (Fig. 4, 116 wherein the specified site corresponds to the specified via a markup comment, Levin).

Regarding Claims 50, and 66, Levin discloses a method wherein:

the first language includes one of English, French, Spanish, German, Portuguese, Italian, Chinese, Korean, and Arabic (Paragraph 63, Levin);

the second language includes one of English, French, Spanish, German, Portuguese, Italian, Japanese, Chinese, Korean, and Arabic (Paragraph 63, Levin); and

the second language is different from the first language (Paragraph 64, Levin).

Regarding Claim 51, Levin discloses a method wherein the request is one of a Hyper Text Transfer Protocol (HTTP) request and a Simple Mail Transfer Protocol (SMTP) request (Paragraph 37, Levin).

Regarding Claims 53, and 63, Levin discloses a method further comprising the step of receiving a text string from a user viewing the translated content (Paragraph 37, lines 12-20, Levin).

Regarding Claims 54, and 69, Levin discloses a method further comprising the step of translating the text string, if the text string is in a language differing from the first language, to produce a translated text string in the first language (Paragraph 50, Levin).

Regarding Claims 55, and 70, Levin discloses a method wherein the step of translating is performed so that the translated text string is compatible with a given function utilized to provide the content in the first language (Paragraph 56, Levin).

Regarding Claims 57, and 72, Levin discloses a method wherein the given function is a search function (Paragraph 48, Levin).

Regarding Claim 58, Levin discloses a method further comprising the steps of:
identifying, among the one or more translatable components, at least two associated translatable components (Paragraph 45, Levin); and

generating one or more translated components in the second language that are locked-together corresponding to the at least two associated translatable components in the first language (Paragraph 46, Levin).

Regarding Claim 62, Levin discloses a method wherein the one or more translatable components include a text segment enclosed in an attribute of an HTML tag (Fig. 4, 116 Levin).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 52, 56, 67, and 71 rejected under 35 U.S.C. 103(a) as being unpatentable over Levin (US Patent Application No. 2004/0102956 with filing date Nov. 14, 2003, which claims provisional filing date Nov. 22, 2002) in view of Levi Admitted Prior Art (APA hereinafter).

Regarding Claims 52, 56, 67, and 71, Levi discloses all the limitation claimed as stated above. However, Levi does not explicitly disclose the assistance of human in the translation. On the other hand the APA by Levi discloses the a translated component is generated by translating a corresponding translatable component in the first language with assistance of a human as stated in Paragraph 3, lines 1-7. It would have been obvious to one of ordinary skill in the art to use the human assistance in the translation process. Skilled artisan would have been motivated to use the human assistance in the translation process as suggested by Levi APA Paragraph 0, lines 8-18, would improve the result of the translation with respect to the use of special phrases, vocabularies, etc.


Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013.

The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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